

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smith et al.

Serial No. 10/786,466

Filed: February 25, 2004

Confirmation No. 9331

For: **FIRE RESISTANT CONSTRUCTION**

Examiner: Jonathan T. Junker

Art Unit: 3635

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**STATUS INQUIRY**

Applicants request the status of the *Request for Correction of Inventorship* filed January 24, 2007. According to PAIR, the documents were received on January 26, 2007. Copies of the documents filed are submitted herewith, along with a copy of our date-stamped, return postcard. Consideration of the Petition is requested.

Respectfully submitted,



Edward W. Rilee

Registration No. 31,869

MacCord Mason PLLC

P. O. Box 2974

Greensboro, NC 27402

(336) 273-4422

Date: August 1, 2007

File No.: 8274-020

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: 1-24-07  
SN/Pat. No. 10/786,466  
Filing/Issue Date: 2-25-04  
Applicant/Inventor Name: Greenfield

Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

- ☒ Check for \$ 130.00  
☐ Application papers:  
☐ Specification pages \_\_\_\_\_  
☐ Number of claims \_\_\_\_\_  
☐ Declaration \_\_\_\_\_  
☐ Power of Attorney \_\_\_\_\_  
☒ Assignment (copy)  
☐ Small Entity Statement  
☐ Drawing pages \_\_\_\_\_

- ☒ Brief  
☒ Amendment/Response  
☐ Appeal  
☐ IDS, PTO-1449 & \_\_\_\_\_ documents  
☐ Issue fee  
☐ Maintenance fee  
☐ Notice to File Missing Parts  
☐ Certificate to Express Mail  
☒ OTHER (Specify) Request for Correction of

Inventorship: K. Smith, J. Smith,  
Student of Chemistry, Smith  
8274-26 17 Assignees

MacCord Mason PLLC - Docket No. 8274-26



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smith

Serial No.: 10/786,466

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P.O. Box 2974

Alexandria, VA 22313

**REQUEST FOR THE CORRECTION OF INVENTORSHIP**  
**OF PENDING PATENT APPLICATION**  
**(37 C.F.R. 1.48(a))**

Sir:

This is a request for correction of error in not naming an additional inventor, Richard Paul Thornberry, in the above patent application. This error occurred without any deceptive intention and it is respectfully requested that the PTO issue a certificate correcting the error. Enclosed herewith is a statement from Mr. Thornberry stating that the inventorship error occurred without any deceptive intention on his part. A statement from the current inventor agreeing to the change of inventorship is also included. A statement from U.S. Greenfiber, LLC, assignee of the original named inventor, agreeing to the change of inventorship is also included.

Enclosed with this request is the fee of \$130.00 in accordance with 37 C.F.R. 1.48(a) and 37 C.F.R. 1.17(i). If any additional fees for this request are required, Applicants request that this be considered a petition therefore. The Commissioner is hereby authorized to charge any

additional fees, which may be required to Deposit Account 501923.

Respectfully submitted,



Edward W. Riley  
Registration No. 31,869  
MacCord Mason PLLC  
P.O. Box 2974  
Greensboro, NC 27402  
(336) 273-4422

Date:

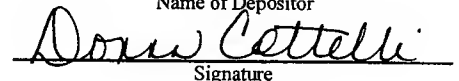
1/24/2007

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS  
BEING DEPOSITED WITH THE UNITED STATES  
POSTAL SERVICE AS FIRST-CLASS MAIL, IN AN  
ENVELOPE ADDRESSED TO: COMMISSIONER  
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,  
VA 22313-1450, ON January 24, 2007

Donna Cottelli

Name of Depositor



Signature

January 24, 2007

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smith

Serial No.: 10/786,466

Filed: February 25, 2004

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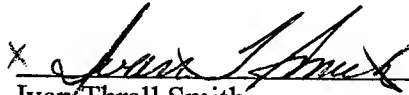
Alexandria, VA 22313

**STATEMENT FROM CURRENT NAMED INVENTORS**

**37 C.F.R. 148(a)**

I, Ivan Thrall Smith, agree to the change of inventorship, which now includes Richard Paul Thornberry as a co-inventor. I am aware of no deceptive intent that occurred which kept him from being initially included as a co-inventor.

Respectfully submitted,

x   
Ivan Thrall Smith

x 1/15/07  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**STATEMENT FROM ADDED INVENTOR**  
**37 C.F.R. 148(a)**

I, Richard Paul Thornberry, was involved with and contributed to the subject matter listed in the above-referenced patent application. I should have been included as one of the originally named inventors, but was left off through no deceptive intent on my part.

Respectfully submitted,

x Richard Paul Thornberry  
Richard Paul Thornberry

x 11/20/06  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ivan Thrall Smith  
Serial No.: 10/786,466  
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For: **FIRE RESISTANT CONSTRUCTION**

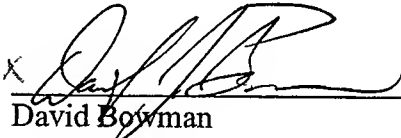
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**WRITTEN CONSENT OF ASSIGNEE**  
**37 C.F.R. 148(a)**

U.S. Greenfiber, LLC consents to the change of inventorship to include Richard Paul Thornberry as a co-inventor of this patent. I, David Bowman, as Vice President of Technology, have the authority to act on behalf of U.S. Greenfiber, LLC.

Respectfully submitted,

X   
\_\_\_\_\_  
David Bowman

X 11/13/06  
Date

## ASSIGNMENT

This Assignment made by me, Richard Paul Thornberry, hereinafter referred to as assignor, citizen of the United States of America, residing at 3235 Soda Canyon Road, City of Napa, State of California 94558

WITNESSETH: That,

WHEREAS, I am one of the inventors of certain new and useful improvements in **FIRE RESISTANT CONSTRUCTION** for which an application for Letters Patent of the United States has been made, namely, Application Serial Number 10/786,466 filed February 25, 2004; and

WHEREAS, U.S. Greenfiber, LLC, a corporation duly organized and existing under the laws of the State of Delaware and having a principal place of business in Charlotte, North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in the specification executed by me herewith, and any and all Letters Patent which shall be granted therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, the said assignor, have sold, assigned, transferred and set over unto the said assignee, its successors and assigns, my entire right, title and interest in and to the above-mentioned application and invention and in and to any and all Letters Patent of the United States which may hereafter be granted therefor, and in any and to any and all continuations, continuations-in-part, substitutions, divisions or reissues of said Letters Patent, the same to be held and enjoyed by the said assignee, for its interest, and for its own use and behalf, and the use and behalf of its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and



entirely as the same would have been held and enjoyed by me had this assignment and sale not been made.

And for the consideration aforesaid, I hereby covenant and agree to and with the said assignee, its successors and assigns, that at the time of the execution and delivery of these presents I am the sole and lawful owner of the entire right, title and interest in and to the invention, application and Letters Patent above-mentioned and that the same are unencumbered, and that I have good right and lawful authority to sell and convey the same in the manner herein set forth.

And for the consideration aforesaid, I hereby covenant and agree to and with the said assignee, its successors and assigns, that I will, whenever its counsel or the counsel of its successors and assigns, learned in the law, shall advise that an amendment, division, continuation, continuation-in-part, or substitution of, or any other proceeding in connection with said application, including interference proceedings, is lawful and desirable, sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue of the same without charge to my said assignee, its successors or assigns, but at its or their expense.

I hereby request the Commissioner for Patents to issue the Letters Patent in accordance with this instrument.

For the consideration aforesaid, I have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the said assignee, its successors, assigns or nominees, the entire right, title and interest in and to any and all Letters Patent for said invention which may be granted in countries foreign to the United States and in and to any applications for Letters Patent which may be filed for said invention in countries foreign to the

United States and in and to the invention described in said application; and I hereby authorize and empower the said assignee, its successor, assigns or nominees to apply for Letters Patent or other form of protection on said invention in its own name or in the name of its successor, assignee, or nominee, in any and all countries where it may desire to file such application and where said application may be filed by another than the inventor; and I hereby covenant and agree to sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for procurement of Letters Patent, or other form of protection, for said invention or inventions in countries foreign to the United States, and for further investing or confirming the right and title therein to the assignee, its successor, assignee, or nominee, without charge to my said assignee, its successor, assignee or nominee, but at its or their expense.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 20<sup>th</sup> day of NOVEMBER, 2006.

x Richard Paul Thornberry  
Richard Paul Thornberry

WITNESS:

x M. R. J.

DATE 20 Nov 06

**DUPLICATE**  
**DO NOT DETACH**  
**DO NOT RECORD**